

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:21-cv-00482

Bradley Ryan Roop,
Plaintiff,

v.

John Moore,
Defendant.

ORDER


Plaintiff Bradley Ryan Roop filed this action on December 13, 2021, against defendant John Moore, alleging violations of his rights under the Fourth and Fourteenth Amendments to the U.S. Constitution and state law claims for malicious prosecution and abuse of process. Doc. 1. The case was referred to United States Magistrate Judge K. Nicole Mitchell pursuant to 28 U.S.C. § 636(b). Doc. 24.

On September 6, 2022, the court dismissed plaintiff's Fourteenth Amendment § 1983 claim with prejudice and granted plaintiff leave to amend his Fourth Amendment § 1983 claim. Doc. 27. Plaintiff filed an amended complaint on September 15, 2022. Doc. 28. Defendant filed a motion to dismiss on September 23, 2022. Doc. 30.

On December 15, 2022, the magistrate judge issued a report recommending that defendant's motion to dismiss be granted and that plaintiff's remaining Fourth Amendment § 1983 claim be dismissed with prejudice. Doc. 31. Plaintiff did not file written objections. When a party fails to object to a magistrate judge's report, the court reviews the record only for clear error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996).

Having reviewed the magistrate judge's report and being satisfied that it contains no clear error, the court accepts its findings and recommendation. The court accepts the magistrate judge's report and recommendation (Doc. 31) and dismisses this action with prejudice. All other pending motions are denied as moot.

So ordered by the court on January 11, 2023.



J. CAMPBELL BARKER
United States District Judge